

CALIFORNIA FARM BUREAU FEDERATION
CALIFORNIA FARM WATER COALITION
H-P LIVESTOCK – HAT CREEK, CALIFORNIA

November 4, 1998

Dennis Bowker
Napa County Resource Conservation District
1303 Jefferson Street, Suite 500B
Napa, California 94559

Dear Dennis:

We appreciate having the opportunity to further comment on the Watershed Program Elements. While we appreciate the difficulty in drafting consensus documents, we are concerned that the Watershed Program Elements expand the scope of the Watershed Program beyond the goals and objectives of the CALFED program and beyond the authority of the CALFED agencies. More specifically, the comments below identify the text of greatest concern in the October 23, 1998 draft Watershed Program Plan.

I. Coordination and Assistance

A. *Encourage collaboration with local general plans and regulations*

The text supporting this bullet point inappropriately expands the CALFED Watershed Management Program into the local general plan process. Local land use decisions are just that, local. Consequently, the Watershed Program should support those decisions by restricting its role to one that supports projects that are consistent with applicable general plans. Additionally, the Watershed Program should not advocate for the revision of general plans. As such, we recommend that the first paragraph be amended to read as follows:

A very significant part of land management decision making in California is the guidance given by local governments through their general plans. The Watershed Program recognizes the important role that general plans play in watershed management and that legal authority for land use decisions resides with local governments. It will ensure that supported efforts are consistent with, and comply with, local general plan policies and local regulations ~~encourage projects and programs to become familiar with, and to follow the guidance given by local general plans. As appropriate, it will also support efforts to strengthen the awareness of watershed management issues in the scheduled revisions of those plans at the local level.~~

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We also recommend that the second paragraph under this bullet point be stricken altogether.

II. Adaptive Management and Monitoring

As mentioned at the November 1, 1998 Working Group meeting, we are extremely concerned with the inclusion of social parameters in the watershed management monitoring protocols. As one member of the work group (whose name escapes me) articulated, the Watershed Program, and therefore the monitoring, is about actions -- not motivation.

Furthermore, adaptive management may be sound in principle, but in practice it often provides a moving target for landowners and land managers. Landowners must be part of (rather than subject to) adaptive management strategies.

III. Watershed Processes and Relationships

This section should be narrowed to achieve its original purposes, which is to describe the biological and physical links between the upper and lower watershed for the Bay-Delta area. The inclusion of human social processes and human values is too subjective for such a program. The Watershed Program should be limited to providing technical assistance and funding. It should not be a program to evaluate social values as they relate to watershed functions. Again, the Program is about actions--not human motivations.

More specifically, we recommend the following bullet points be reconsidered or significantly narrowed by the accompanying text.

- A. *Describe how land use and other human activities affect/affected watershed functions and processes in ways that are favorable for or adverse to the CALFED goals and objectives.*

To often, general land use activities are inappropriately and unscientifically blamed for adverse conditions in a watershed. When describing what land use and other human activities affect watershed functions, the Watershed Program needs to make sure that the causal relationship is supported by credible, scientific information and not conjecture. To that end, the text for this bullet point could be revised in the following manner:

~~Human activities make up part of many watershed processes. Those activities affect, and are affected by those processes. The Watershed~~

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Program will ~~produce or support the production of sound, scientifically proven materials and training that will illustrate these relationships a~~ casual relationship between a specific land use activity and its actual and documented impact on watershed processes. It will also support research to clarify areas where the understanding of the human role in these processes can be improved how land use and other human activities do or do not affect watershed functions and processes.

- B. *Illustrate the benefits (including economic) that accrue from watershed plans and projects designed to achieve the CALFED goals and objectives.*

Since the primary goal and objective for CALFED is to improve the water quality for the Bay-Delta, the illustrated benefits should be those directly related to improved water quality in the upper watersheds. The documentation of intangible improvements does not help to achieve the goals and objectives for CALFED and is therefore an inappropriate part of the Watershed Program. To appropriately narrow this bullet point, the text should be stricken completely and rewritten to better describe the narrow function of this Program. For example:

The Watershed Program will develop, or support the development of, illustrations of directly quantifiable benefits. By developing a suite of quantifiable benefits, the effectiveness of the Watershed Program in improving watershed conditions can be better assessed.

- C. *Identify examples of watershed activities that improve the basic biological and/or physical functions and processes of a watershed.*

We appreciate the effort to make sure that the scope of watershed activities is broad and inclusive, not exclusive. However, the listing of examples brings with it many potential problems. Once such a list is promulgated, it tends to take on a life of its own. The examples often become standards or preferred management practices and can stifle further innovation or preclude existing management practices that are effective. Watershed activities, programs and projects are very site specific and should be evaluated with the individual specifics in mind. To try and develop a generic list of watershed activities will only further politicize the Watershed Program.

For example, some agencies and members of the public would argue that exclusionary fencing is a watershed activity that improves the basic biological and/or physical functions of a watershed. In contrast, members of the ranching

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community and Rangeland Specialists from the University of California Cooperative Extension would argue that exclusionary fencing does not necessarily improve the basic biological functions of a watershed. In truth, both may be right depending on the watershed in question. However, if listed as an example, a presumption is created that the listed activity always improves the watershed.

To avoid creating such a presumption, this bullet point should be eliminated from the Program Elements. At the very least, language needs to clarify the actual intent and purposes of such a list so that it does not create a presumption of good and bad watershed activities.

D. Help resolve issues of liability and indemnification for environmental restoration work.

The first paragraph of text following this bullet point broadens the scope of the Watershed Program to include legislative advocacy for the change in existing law. We believe that the Watershed Program should not be actively involved in the legislative process for watershed improvement activities. At most, the Program can promote the establishment of policies that act as an incentive for environmental restoration work, which can include resolving issues of liability and indemnification. To this end, we recommend the deletion of paragraph one. The second paragraph seems to adequately address the issue and can stand on its own to explain the bullet point.

Again, thank you for the additional opportunity to comment. If you have any questions, please call Tess Dennis at (916) 561-5656, Dan Macon at (916) 441-7723, or Pam Giacomini (530) 335-7207.

Very Truly Yours,



Theresa A. Dennis
California Farm Bureau
Federation



Dan Macon
California Farm Water
Coalition



Pam Giacomini
Hat Creek Landowner

cc: Martha Davis
Robert Meacher
John Lowrie
Lester Snow